

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 13-35 are presently active in this case, with Claims 1-12 cancelled and Claims 13-35 added.

In the outstanding Office Action, Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; Claims 1-6 were rejected under 35 U.S.C. 103(a) as being obvious over Lenhardt (U.S. Pat. No. 4,708,762) in view of Applicants' Admitted Prior Art.

Claims 1-12 are cancelled and replaced with new Claims 13-35 in order to more clearly describe and distinctly claim Applicants' inventions. Support for new Claims 13-35 can be found in Applicants' originally filed specification.<sup>1</sup> No new matter is added.

As Claims 1-12 are canceled by the foregoing amendment, Applicants respectfully submit that the rejection under 35 U.S.C. §112, second paragraph is moot.

Briefly recapitulating, Claim 13 is directed to a method of preparing a double glazing unit including the steps of: positioning a pair of glass sheets in a first stage; maintaining a fixed distance gap between the sheets; moving the sheets from a first stage movement apparatus to second stage movement apparatus using a first and second driven guide and a suction chuck located on an actuator driven sled. The actuator driven sled moves the suction chuck partially into the first stage. The suction chuck affixes to the glass plates with suction force and then pulls them into the second stage.

Lenhardt describes a glass conveyer with separate supporting elements to support two glass plates. Applicants' Admitted Prior Art (APA) includes a plurality of suction pads held

---

<sup>1</sup> See for example, the specification at: page 8, line 20 through page 9, line 3; page 10, lines 11 through 16; and page 18, lines 5 through 20, and Figures 1-15 .

in substantially vertical fashion on rollers.<sup>2</sup> However, neither Lenhardt nor the APA disclose Applicants' claimed suction chuck located on an actuator driven sled.

Additionally, neither Lenhardt nor the APA disclose or suggest moving the suction chuck on the actuator driven sled partially into a first stage movement apparatus and then affixing the suction chuck to the glass sheets and pulling the glass sheets from a first stage movement apparatus to a second stage movement apparatus as recited in Applicants' claims.

As none of the cited prior art, individually or in combination, disclose or suggest all the elements of independent Claim 13, Applicants submit the inventions defined by Claim 13, and all claims depending therefrom, are not rendered obvious by the asserted prior art for at least the reasons stated above.<sup>3</sup> Applicants further submit that independent Claims 33, 34, and 35, and all claims depending therefrom, also patentably define over the cited references for at least the same reasons as described relative to Claim 13.

---

<sup>2</sup> Specification, page 3, lines 14 to 21.

<sup>3</sup> MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest **all** the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

Application No. 10/073,870  
Reply to Office Action of September 10, 2004

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory Maier  
Attorney of Record  
Registration No. 25,599  
Michael E. Monaco  
Registration No. 52,041

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)

I:\ATTY\MM\AMENDMENT\0059\219593US-11-22-04-5-AMENDMENT\_DEC 20.DOC